

37  
BC

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ORIGINAL

Leroy Riley

VS.

Charles M. Simpson, Kerri Cross,  
David McCoy, Charles M. Shane,  
Mr Gaston

~~CAOS-172E~~

CAOS-172E

MOTION AND DECLARATION IN SUPPORT OF MOTION TO PROCEED  
IN FORMA PAUPERIS

I, Leroy Riley, am the plaintiff in the above entitled case. In support of my motion for leave to proceed in forma pauperis, I state that because of my poverty I am unable to pay the initial costs of said proceeding or to give security therefore and that I believe I am entitled to redress. In support of this motion, I declare the following responses are true.

1. If you are receiving prison wages, state the amount: none

2. If you received within the past twelve months any money from any source, explain, and state  
The amount:

3. State the amount of money you have in a checking, savings, or prison account:  
none

4. Identify and state the value of any real estate, stocks, bonds, notes, automobiles, or other  
Valuable property (excluding ordinary household furnishings and clothing) which you own:  
none

5. List the persons who are dependent upon you for support; state relationship to those persons  
And indicate how much you contribute toward their support:  
none

I declare under penalty of perjury that the foregoing is true and correct.

SIGNED THIS 28<sup>th</sup> DAY OF January, 2005.

Plaintiff's signature

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Leroy Riley Plaintiff )  
v. )  
Defendant ) Civil Action No.  
Charles M. Simpson )  
Kerri Cross, David McCoy, )  
Charles M. Shane, )  
Mr Gaston )

AUTHORIZATION  
TO BE COMPLETED BY PRISONER  
WHO SEEKS LEAVE TO PROCEED IN FORMA PAUPERIS

I, Leroy Riley (name), hereby authorize the custodian of my inmate account, upon order of a judge of the United States District Court of the Western District of Pennsylvania, to

- (1) withdraw from my account and pay to the Clerk, United States District Court for the Western District of Pennsylvania, the initial partial filing fee (20% of the greater of the average monthly deposits to my account for the past six months, or the average monthly balance in my account for the past six months) and
- (2) if there remains any unpaid fee due and owing to the court, thereafter to set aside and accrue/freeze on a monthly basis twenty percent (20%) of the preceding month's deposits credited to my account and
- (3) each time the amount in my account exceeds \$10.00 to forward to the Clerk the amounts accrued/frozen until the filing fee in the amount of \$150 has been paid in full.

  
PLAINTIFF'S SIGNATURE

5/20/05  
DATE

## TO BE COMPLETED BY RECORDS OFFICER OF PRISON

1. The plaintiff presently has the sum of 22 87 on account at \_\_\_\_\_  
PA State Correctional Institution at Forest  
 (Name of prison)

X Attached is a copy of the plaintiff's institutional account  
 indicating deposits and withdrawals during the preceding one  
 year period of \_\_\_\_\_  
 (Indicate period covered by Account)

I cannot furnish the court with a copy of the plaintiff's  
 institutional account indicating income and withdrawals because \_\_\_\_\_

2. The plaintiff has the following securities and other assets: (include any information you have  
 regarding outside accounts, sources of income):

Nothing on file

3. Other information relevant to plaintiff's financial status or information that plaintiff's statements  
 contained in his motion and declaration in support of motion to proceed in forma pauperis are not  
 true: Mr. Riley only provided this sheet to the business office for processing, therefore I cannot comment

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge,  
 information and belief.

Signed this 3rd day of June, 2005.

Victoria Sabella Accountant  
 Signature and Title of Records Officer of Prison

## ORDER

Motion for leave to proceed in forma pauperis is \_\_\_\_\_

Date: \_\_\_\_\_

United States Magistrate Judge



**Commonwealth of Pennsylvania  
Department of Corrections  
State Correctional Institution at Forest  
1 Woodland Drive – PO Box 307  
Marienville, Pennsylvania 16239-0307  
814-621-2110**

June 2, 2005

To Whom It May Concern,

I, Victoria Sabella, certify that the attached nine page document contains the funding transactions for Leroy Riley, FQ8672. The document consists of transactions from May 21, 2004, to the date listed above.

Sincerely,

*Victoria Sabella*

Victoria Sabella  
Accountant

Enclosure

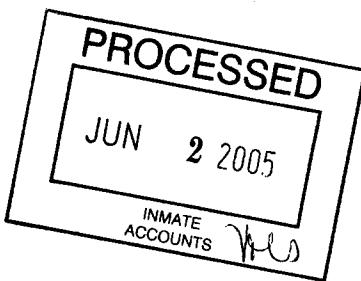
PA' DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:31

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS355  
DATE 6/02/2005  
PAGE 2

INMATE	NAME		
NUMBER	LAST	FIRST	MI
FQ8672	RILEY	LEROY	

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
938	05-21-2004	ACT 84 TRANSACTION * 56/03 05/21/04	-10.00	40.97
938	05-21-2004	ADJUST RECEIPT 13 WRONG INMATE NUMBER	-50.00	-9.03
938	05-21-2004	ADJUSTMENT * 50 56/03 05/21/04	10.00	.97
8155	06-03-2004	PIT COMMISSARY FOR 6/03/2004	-.29	.68
1054	06-04-2004	MAINTENANCE PAYROLL MAY WAGES	23.90	24.58
1054	06-04-2004	ACT 84 TRANSACTION * 56/03 06/04/04	-4.78	19.80
8170	06-18-2004	PIT COMMISSARY FOR 6/18/2004	-4.37	15.43
1170	06-24-2004	PERSONAL GIFT FROM RILEY, GEORGIA G289219	20.00	35.43
1170	06-24-2004	ACT 84 TRANSACTION * 56/03 06/24/04	-4.00	31.43
BALANCE AFTER THESE TRANSACTIONS----->				31.43



1089

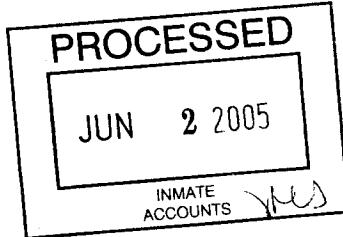
PA' DEPT. OF CORRECTIONS  
BUREAU QF COMPUTER SERVICES  
REMOTE PRINT TIME 11:21

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS355  
DATE 6/02/2005  
PAGE 1

INMATE NUMBER	NAME LAST	FIRST	MI	STARTING BALANCE
FQ8672	RILEY	LEROY		31.43

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8184	07-02-2004	PIT COMMISSARY FOR 7/02/2004	-1.04	30.39
1245	07-08-2004	MEDICAL SCIK CALL 7/2/04	-2.00	28.39
1311	07-09-2004	POSTAGE POSTAGE 7/8/04	-2.21	26.18
1321	07-12-2004	POSTAGE POSTAGE 7/9/04	-3.95	22.23
1334	07-12-2004	POSTAGE POSTAGE 7/12/04	-1.29	20.94
8198	07-16-2004	PIT COMMISSARY FOR 7/16/2004	-2.42	18.52
1431	07-27-2004	INSIDE PURCHASES PHOTO COPIES 7/21/04	-2.60	15.92
1433	07-27-2004	POSTAGE POSTAGE 7/27/04	-3.50	12.42
1558	08-06-2004	PERSONAL GIFT TO PRISON LEGAL NEWS	-1.00	11.42
1558	08-06-2004	PERSONAL GIFT TO PRISON LEGAL NEWS	-1.00	10.42
1558	08-06-2004	ADJUST PAYMENT 30 WRONG BATCH NO.	1.00	11.42
1558	08-06-2004	ADJUST PAYMENT 30 WRONG BATCH NO.	1.00	12.42
1560	08-06-2004	PRINTED MATERIALS PRISON LEGAL NEWS	-1.00	11.42
1560	08-06-2004	PRINTED MATERIALS LUCY PARSONS BOOK STORE	-1.00	10.42
1597	08-11-2004	INSIDE PURCHASES PHOTO COPIES	-1.60	8.82
1617	08-13-2004	POSTAGE POSTAGE 8/13/04	-.23	8.59
1629	08-17-2004	POSTAGE POSTAGE 8/16/04	-.23	8.36
8231	08-18-2004	PIT COMMISSARY FOR 8/18/2004	-8.20	.16
1666	08-24-2004	PERSONAL GIFT FROM RILEY, GEORGIA H022132	40.00	40.16
1666	08-24-2004	ACT 84 TRANSACTION * 56/03 08/24/04	-8.00	32.16
8238	08-25-2004	PIT COMMISSARY FOR 8/25/2004	-25.71	6.45
1685	08-26-2004	POSTAGE POSTAGE 8/26/04	-1.29	5.16



2 of 9

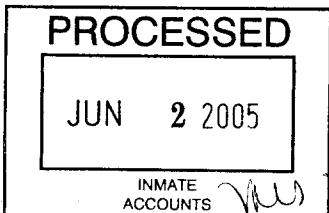
PA' DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:21

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS355  
DATE 6/02/2005  
PAGE 2

INMATE	NAME
NUMBER	LAST
FQ8672	RILEY
	FIRST
	MI

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8245	09-01-2004	PIT COMMISSARY FOR 9/01/2004	-4.57	.59
1786	09-03-2004	MEDICAL SICK CALL 9/1/04	-4.00	-3.41
1796	09-07-2004	POSTAGE POSTAGE 9/7/04	-1.06	-4.47
1909	09-24-2004	POSTAGE POSTAGE 9/24/04	-1.29	-5.76
BALANCE AFTER THESE TRANSACTIONS----->				-5.76



3 of 9

PA DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:22

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS365  
DATE 6/02/2005  
PAGE 1

INMATE NUMBER	NAME LAST	FIRST	MI	STARTING BALANCE
FQ8672	RILEY	LEROY		-5.76

BATCH #	DATE MO	TRANSACTION DESCRIPTION	AMOUNT	BALANCE AFTER TRANSACTION
1957	10-05-2004	13 PERSONAL GIFT FROM RILEY, GEORGIA H015252	50.00	44.24
1957	10-05-2004	50 ACT 84 TRANSACTION * 56/03 10/05/04	-10.00	34.24
8281	10-07-2004	32 PIT COMMISSARY FOR 10/07/2004	-33.76	.48
2053	10-14-2004	37 POSTAGE POSTAGE 10/14/04	-12.04	-11.56
2056	10-15-2004	13 PERSONAL GIFT FROM RILEY, MURPHY G279095	60.00	48.44
2056	10-15-2004	50 ACT 84 TRANSACTION * 56/03 10/15/04	-12.00	36.44
8295	10-21-2004	32 PIT COMMISSARY FOR 10/21/2004	-32.24	4.20
8301	10-27-2004	86 PIT COMMISSARY CR 32 FOR 10/27/2004	1.67	5.87
2023	10-28-2004	41 MEDICAL SICK CALL 10/25/04	-2.00	3.87
2023	10-28-2004	86 ADJUST PAYMENT 41 ENTERED WRONG BATCH NO.	2.00	5.87
2123	10-28-2004	41 MEDICAL SICK CALL 10/25/04	-2.00	3.87
2182	11-03-2004	10 MAINTENANCE PAYROLL OCTOBER WAGES	19.32	23.19
2182	11-03-2004	50 ACT 84 TRANSACTION * 56/03 11/03/04	-3.86	19.33
8309	11-04-2004	32 PIT COMMISSARY FOR 11/04/2004	-17.72	1.61
8316	11-11-2004	32 PIT COMMISSARY FOR 11/11/2004	-1.02	.59
2238	11-12-2004	37 POSTAGE POSTAGE 11/12/04	-2.67	-2.08
2246	11-15-2004	37 POSTAGE POSTAGE 11/15/04	-11.20	-13.28
2302	11-30-2004	37 POSTAGE POSTAGE 11/30/04	-.83	-14.11
2333	12-03-2004	10 MAINTENANCE PAYROLL NOVEMBER WAGES	25.08	10.97
2333	12-03-2004	50 ACT 84 TRANSACTION * 56/03 12/03/04	-5.02	5.95
2344	12-06-2004	37 POSTAGE POSTAGE 12/06/04	-1.52	4.43
8343	12-08-2004	32 PIT COMMISSARY FOR 12/08/2004	-2.89	1.54

PROCESSED

JUN 2 2005

INMATE ACCOUNTS

4 of 7

PA' DEPT. 'OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:22

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS365  
DATE 6/02/2005  
PAGE 2

INMATE NUMBER	NAME LAST	FIRST	MI
FQ8672	RILEY	LEROY	

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION		BALANCE AFTER TRANSACTION
			AMOUNT		
2354	12-08-2004	37 POSTAGE POSTAGE 12/8/04	-2.44		-.90
2363	12-10-2004	37 POSTAGE POSTAGE - 12/10/04	-2.67		-3.57
2372	12-14-2004	37 POSTAGE POSTAGE	-1.06		-4.63
2372	12-14-2004	37 POSTAGE POSTAGE	-1.06		-5.69
2393	12-21-2004	13 PERSONAL GIFT FROM RILEY, GEORGIA M.	100.00		94.31
2393	12-21-2004	50 ACT 84 TRANSACTION *			
		56/03 12/21/04	-20.00		74.31
8357	12-22-2004	32 PIT COMMISSARY FOR 12/22/2004	-17.04		57.27
2403	12-23-2004	37 POSTAGE POSTAGE - 12/23/2004	-1.11		56.16
8363	12-28-2004	32 PIT COMMISSARY FOR 12/28/2004	-5.45		50.71
BALANCE AFTER THESE TRANSACTIONS----->					50.71

PROCESSED

JUN 2 2005

INMATE  
ACCOUNTS

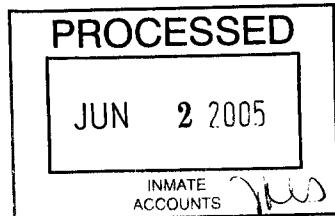
PA' DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:22

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN DATE 6/02/2005  
PAGE 1

INMATE NUMBER	NAME LAST	FIRST	MI	STARTING BALANCE
FQ8672	RILEY	LEROY		50.71

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8004	01-04-2005	32 PIT COMMISSARY FOR 1/04/2005	-7.62	43.09
2434	01-05-2005	37 POSTAGE POSTAGE - 1/04/05	-1.52	41.57
2444	01-05-2005	10 MAINTENANCE PAYROLL DECEMBER WAGES	26.22	67.79
2444	01-05-2005	50 ACT 84 TRANSACTION * 56/03 01/05/05	-5.24	62.55
2452	01-07-2005	13 PERSONAL GIFT FROM CHINA JR, JAMES H043284	30.00	92.55
2452	01-07-2005	50 ACT 84 TRANSACTION * 56/03 01/07/05	-6.00	86.55
8010	01-10-2005	86 PIT COMMISSARY CR 32 FOR 1/10/2005	7.62	94.17
2469	01-13-2005	10 MAINTENANCE PAYROLL TR/WAGES-SCI SMR	9.12	103.29
2469	01-13-2005	50 ACT 84 TRANSACTION * 56/03 01/13/05	-1.82	101.47
2470	01-13-2005	37 POSTAGE POSTAGE - 1/13/05	-5.30	96.17
2470	01-13-2005	37 POSTAGE POSTAGE/PKG - 1/13/05	-13.20	82.97
0	01-13-2005	82 TRANSFER OUT PITTSBURGH		
0	01-13-2005	81 TRANSFER IN FOREST		
8018	01-18-2005	32 FRS COMMISSARY FOR 1/18/2005	-25.96	57.01
8027	01-27-2005	34 FRS CABLE TV FOR 1/27/2005	-15.25	41.76
8032	02-01-2005	32 FRS COMMISSARY FOR 2/01/2005	-14.01	27.75
9038	02-07-2005	10 INMATE EMPLOYMENT FRS PAYROLL 2005 - 01 GRP 1	8.64	36.39
9038	02-07-2005	50 ACT 84 TRANSACTION * 56/03 02/07/05	-1.73	34.66
8039	02-08-2005	32 FRS COMMISSARY FOR 2/08/2005	-12.30	22.36
8046	02-15-2005	32 FRS COMMISSARY FOR 2/15/2005	-8.55	13.81
8047	02-16-2005	86 FRS COMMISSARY CR 32 FOR 2/16/2005	.21	14.02
218	02-18-2005	37 POSTAGE	-.60	13.42



PA' DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:22

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS365  
DATE 6/02/2005  
PAGE 2

INMATE NUMBER	NAME LAST	FIRST	MI
FQ8672	RILEY	LEROY	

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8053	02-22-2005 32	FRS COMMISSARY FOR 2/22/2005	-12.78	.64
8053	02-22-2005 86	FRS COMMISSARY CR 32 FOR 2/23/2005	1.49	2.13
235	02-25-2005 37	POSTAGE UNKNOWN	-3.95	-1.82
236	02-25-2005 41	MEDICAL CO-PAY	-2.00	-3.82
239	02-28-2005 13	PERSONAL GIFT FROM RILEY, GEORGIA	G316954	40.00
239	02-28-2005 50	ACT 84 TRANSACTION * 56/03 02/28/05	-8.00	28.18
8060	03-01-2005 32	FRS COMMISSARY FOR 3/01/2005	-5.98	22.20
8060	03-01-2005 86	FRS COMMISSARY CR 32 FOR 3/01/2005	5.98	28.18
8060	03-01-2005 32	FRS COMMISSARY FOR 3/01/2005	-5.99	22.19
9066	03-07-2005 10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 02 GRP 1	13.68	35.87
9066	03-07-2005 50	ACT 84 TRANSACTION * 56/03 03/07/05	-2.74	33.13
8067	03-08-2005 32	FRS COMMISSARY FOR 3/08/2005	-4.69	28.44
8074	03-15-2005 32	FRS COMMISSARY FOR 3/15/2005	-8.25	20.19
8076	03-17-2005 86	FRS COMMISSARY CR 32 FOR 3/17/2005	4.69	24.88
8081	03-22-2005 32	FRS COMMISSARY FOR 3/22/2005	-6.44	18.44
329	03-25-2005 37	POSTAGE	-2.21	16.23
329	03-25-2005 37	POSTAGE	-5.87	10.36
BALANCE AFTER THESE TRANSACTIONS----->				10.36

PROCESSED

JUN 2 2005

7 of 9

PA' DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:22

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM ACTIVE FILE

RUN IAS365  
DATE 6/02/2005  
PAGE 1

INMATE NUMBER	NAME LAST	FIRST	MI	STARTING BALANCE
FQ8672	RILEY	LEROY		10.36

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
9095	04-05-2005 10	INMATE EMPLOYMENT		
		FRS PAYROLL 2005 - 03 GRP 1	16.56	26.92
9095	04-05-2005 50	ACT 84 TRANSACTION *		
		56/03 04/05/05	-3.31	23.61
388	04-06-2005 37	POSTAGE		
			-5.85	17.76
8103	04-13-2005 32	FRS COMMISSARY		
		FOR 4/13/2005	-2.24	15.52
432	04-18-2005 37	POSTAGE		
			-.46	15.06
432	04-18-2005 37	POSTAGE		
			-.46	14.60
432	04-18-2005 37	POSTAGE		
			-.23	14.37
432	04-18-2005 37	POSTAGE		
			-.46	13.91
432	04-18-2005 37	POSTAGE		
			-.23	13.68
432	04-18-2005 37	POSTAGE		
			-.43	13.25
454	04-22-2005 13	PERSONAL GIFT FROM		
		PETTIGREW, QUEEN G314427	5.00	18.25
454	04-22-2005 50	ACT 84 TRANSACTION *		
		56/03 04/22/05	-1.00	17.25
8115	04-25-2005 34	FRS CABLE TV		
		FOR 4/25/2005	-15.25	2.00
8122	05-02-2005 32	FRS COMMISSARY		
		FOR 5/02/2005	-.68	1.32
8123	05-03-2005 32	FRS COMMISSARY		
		FOR 5/03/2005	-1.28	.04
510	05-03-2005 37	POSTAGE		
			-.46	-.42
9125	05-05-2005 10	INMATE EMPLOYMENT		
		FRS PAYROLL 2005 - 04 GRP 1	8.64	8.22
9125	05-05-2005 10	INMATE EMPLOYMENT		
		FRS PAYROLL 2005 - 04 GRP 1	1.44	9.66
8125	05-05-2005 86	FRS COMMISSARY CR		
		32 FOR 5/05/2005	1.28	10.94
8129	05-09-2005 32	FRS COMMISSARY		
		FOR 5/09/2005	-10.09	.85
547	05-11-2005 13	PERSONAL GIFT FROM		
		RILEY, GEORGIA G311586	50.00	50.85
547	05-11-2005 50	ACT 84 TRANSACTION *		
		56/03 05/11/05	-10.00	40.85

PROCESSED	
JUN 2 2005	
INMATE ACCOUNTS	VMS

8 06 9

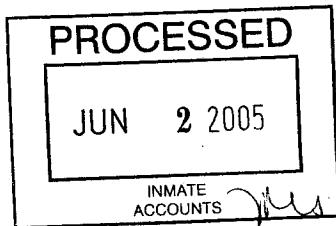
PA' DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 11:22

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM ACTIVE FILE

RUN IAS365  
DATE 6/02/2005  
PAGE 2

INMATE NUMBER	NAME
FQ8672	LAST RILEY
	FIRST LEROY
MI	

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT		BALANCE AFTER TRANSACTION
			AMOUNT	BALANCE	
8136	05-16-2005	32 FRS COMMISSARY FOR 5/16/2005	-13.62	27.23	
574	05-17-2005	13 PERSONAL GIFT FROM CHINA, JAMES	G310394 50.00	77.23	
574	05-17-2005	50 ACT 84 TRANSACTION * 56/03 05/17/05	-10.00	67.23	
8143	05-23-2005	34 FRS CABLE TV FOR 5/23/2005	-15.25	51.98	
627	05-27-2005	37 POSTAGE	-2.90	49.08	
627	05-27-2005	37 POSTAGE	-3.95	45.13	
627	05-27-2005	37 POSTAGE	-1.29	43.84	
627	05-27-2005	37 POSTAGE	-1.75	42.09	
627	05-27-2005	37 POSTAGE	-.60	41.49	
8151	05-31-2005	32 FRS COMMISSARY FOR 5/31/2005	-18.62	22.87	
BALANCE AFTER THESE TRANSACTIONS----->					22.87



9 of 9